

REMARKS:

In the foregoing amendments, claim 3 was amended to correct a typographical error. Claim 6 was amended by defining that a predetermined signal is input from a sensor, such as described on page 18, line 7; page 23, line 18; page 29, line 22; page 30, line 6; etc. in applicant's specification disclosure. Claims 1 and 2 were amended by further defining that when the predetermined state indication mark (or the state change indication mark) is made unindicative, the predetermined state mark (or the state change indication mark) can no longer be viewed on the display. This aspect of applicant's claimed invention is discussed and shown in the drawings of the present specification disclosure, which will be explained in detail below.

Applicant greatly appreciates the courtesies extended the undersigned in a personal interview on July 26, 2005. During the interview, the meaning of the terms "unindicative" and "removing a mark" from the display were discussed. It was the examiner's position that in order for the term "unindicative" in applicant's claims to have the meaning as argued in applicant's previous response, namely, when a mark is made unindicative in applicant's claimed invention, the mark can no longer be viewed or seen on the display, a formal definition must be included in the specification. In addition, table 1 of Yagihashi was discussed in connection with the limitation of

removing a mark from the display, such as set forth in claim 6. No agreement was reached during the interview.

Applicant respectfully requests that the foregoing amendments be entered under the provisions of 37 C.F.R. § 1.116(b) for the purposes of placing the application in condition for allowance or for the purposes of appeal. The foregoing amendment to applicant's claim 3 corrects an idiomatic and/or editorial error. The foregoing amendments to claims 1 and 2 further define that when the predetermined state indication mark (or the state change indication mark) is made unindicative, the predetermined state mark (or the state change indication mark) can no longer be viewed on the display. This meaning of the word "unindicative" was explained in applicant's previous response filed on February 28, 2005. In addition, this meaning of the word "unindicative" is inclusive of the limitations set forth in previously presented claims 6, 17, and 18. These claims define that the state indication mark (the state change indication mark) is made unindicative by removing display thereof and a predetermined the state indication mark (state change indication mark) corresponding to the predetermined signal is displayed in the display segment in which the state indication mark (the change indication mark) was displayed. Accordingly, the examiner already consider this limitation in the claims, and its insertion into claims 1 and 2 cannot raise a new issue requiring further consideration/or search by the examiner.

Claim 6 was amended above to define that a predetermined signal is inputted from a sensor arranged in the working machine. This limitation is implied or inherent in applicant's other pending claims, such as claims 1 and 2. In applicant's claims, a state change indication mark or a predetermined state indication mark is displayed when the state of the working machine makes a change. The change in the state of the working machine implies that a device, such as a sensor, senses the change in the state of the working vehicle. Accordingly, the limitation of a sensor was implied or inherent in applicant's claims as previously presented, and its insertion into claim 6 now cannot raise a new issue requiring further consideration/or search by the examiner.

Furthermore, Claim 6 was rejected was under 35 U.S.C. § 102(b) as being unpatentable over U.S. patent No. 5,847,704 of Hartman, which was newly cited against applicants claims. Applicant's previous amendments to claim 6 corrected editorial matters and further defined that the mark is made unindicative by removal thereof from the display. Applicant respectfully submits that the addition of the limitation "by removing display thereof" into claims 6 did not necessitate the citing of new teachings thereagainst, because applicant previously explained that making a mark "unindicative" encompasses its removal from the display. In addition, claims 17 and 18, which also define that the mark is made unindicative by its removal from the display, were not

rejected over the teachings of Hartman. Accordingly, it does not appear that the teachings of Hartman were cited against applicant's claim 6 due to the limitation of the mark being made unindicative by its removal from the display.

For all these reasons, applicant respectfully requests that the foregoing amendments be entered under the provisions of 37 C.F.R. § 1.116(b) for the purposes of placing the application in condition for allowance or for the purposes of appeal.

Claims 1-6 and 8-18 are in the application for consideration at this time. The Official action set forth two prior art rejections of these claims. Claims 1-5 and 8-18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. patent No. 5,648,755 of Yagihashi *et al.* (Yagihashi). This rejection is set forth on pages 2-4 of the Official action. Claim 6 was rejected under 35 U.S.C. § 102(b) as being unpatentable over Hartman. This rejection is set forth on page 5 of the Official action. Applicant respectfully submits that the presently claimed invention is patently distinguishable from the teachings of Yagihashi and/or Hartmann within the meaning of 35 U.S.C. § 102(b) or 35 U.S.C. § 103(a) for at least the following reasons.

As explained in applicant's response filed on February 28, 2005, the arrangement proposed by Yagihashi is quite different from the presently claimed invention, such as that set forth in claims 1, 2, 6, 17, and 18. Attention is respectfully directed to figures 1A and 1B of the present

application that correspond to present claims 1 and 17. As previously explained and in accordance with applicant's claims, when the predetermined state indication mark, as displayed in a predetermined one of the individual display segment is made unindicative, the predetermined mark (icon) no longer can be seen or viewed on the display. Compare, for example, segment 30 in figures 1A and 1B of applicant's specification disclosure. In figure 1A, segment 30 contains mark 31. However, segment 30 in figure 1B does not contain mark 31; but rather, contains marks 33 and 34 -- mark 31 can no longer be seen on the display. When a mark is made unindicative in applicant's claimed invention, the mark can no longer be viewed on the display. This can be achieved by, for example, removing the mark from the display segment (such as required in present claims 6, 17, and 18), placing another mark over the mark, etc. The teachings of Yagihashi do not contemplate or suggest making a display segment unindicative. In other words, any reducing or enlarging of an icon as proposed in Yagihashi cannot contemplate or suggest making the mark (icon) unindicative in accordance with applicant's claims, which requires making a mark unindicative (i.e., removing the mark from the display or otherwise inhibiting view of the mark (icon)) and replacing it with another mark. Therefore, applicant respectfully submits that the presently claimed invention is patently distinguishable from the teachings of Yagihashi.

During the personal interview, the examiner suggested that table 1 of Yagihashi shows a situation where marks are removed from the display. Applicant respectfully submits firstly that this interpretation of table 1 of Yagihashi is not correct, and secondly, that the showing in table 1 of Yagihashi is not pertinent to the presently claimed invention. Firstly, tables 1-4 of Yagihashi show the status of various marks in modes 1-19. These modes are discussed in columns 3 and 4 of Yagihashi. In mode 2 of table 1, most marks are not displayed. In all the other modes, all the marks are displayed, namely, not made unindicative in accordance with applicant's claims. In mode 2 of Yagihashi, the accessory circuit of the vehicle is closed, such as when the vehicle is at rest. During this time, the vast majority of the marks are not shown. However, this non-display of the vast majority of the marks in mode 2 of Yagihashi has nothing to do with making a predetermined state indication mark unindicative, *when a change of the state of the working vehicle occurs*, and displaying in a segment of the mark made unindicative a state change indication mark, as required in the present claims.

In the presently claimed invention, the state indication mark (or the state change indication mark) is made unindicative *when a change of the state of the working vehicle occurs*. When unindicative, the predetermined state mark (or the state change indication mark) can no longer be viewed on the display. The expression "change of the state of the working vehicle occurs" means a change

that occurs while the vehicle is *working*, i.e., running under working conditions. This is different from the situation proposed by Yagihashi where the vast majority of the marks are turned off when the vehicle is not running as proposed in mode 2 therein. For such reasons, applicant respectfully submits that the teachings of Yagihashi cannot contemplate or suggest making the mark (icon) unindicative, *when a change of the state of the working vehicle occurs*, in accordance with applicant's claims.

Claim 6 was rejected under 35 U.S.C. § 102(b) as being unpatentable over Hartman. The teachings of Hartman do not contemplate or suggest the invention set forth in applicant's claim 6 within the meaning of 35 U.S.C. §102(b) or 35 U.S.C. §103 for least the following reasons. In addition, the teachings of Hartman do not cure or rectify the aforesaid deficiencies in the teachings of Yagihashi.

The teachings of Hartman propose a display always including images of selected items such as a speedometer, odometer, and fuel gauge. When other displays are desired, the images of the selected items are moved to sides of the screen and rotated above an axis that is generally parallel to the screen. These moved and rotated images are simultaneously displayed with a desired display placed in the central portion of the display screen. Compare, for example, the displays in Figs. 2 and 3 of Hartman. However, the switching of the displays in the teachings of Hartman has nothing to do with a change in the state of the

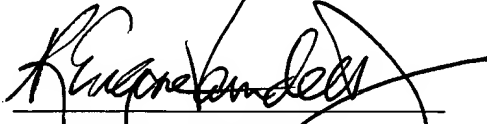
working vehicle. At best, Hartman proposes that the display is changed by the operator of the vehicle, so that the operation of the vehicle (i.e., heating or air conditioning) can be changed by engaging marks on the display. For these reasons, applicant respectfully submits that the teachings of Hartman are patently distinguishable from the invention set forth in claim 6, where a sensor inputs a predetermined signal. Therefore, applicant respectfully requests that the examiner reconsider and withdraw this rejection.

In accordance with the foregoing amendments and remarks, applicant respectfully submits that the presently claimed invention is patently distinguishable from the teachings of Yagihashi and/or Hartman within the meaning of 35 U.S.C. § 102 or 35 U.S.C. § 103. Therefore, applicant respectfully requests that the examiner reconsider and withdraw the rejections set forth in the outstanding Office action of the present claims over these teachings.

Based on the above, a formal allowance of claims 1-6 and 8-18 is respectfully requested. While it is believed that all the claims in this application are in condition for allowance, should the examiner have any comments or questions, it is respectfully requested that the undersigned be telephoned at the below listed number to resolve any outstanding issues.

In the event this paper is not timely filed, applicant hereby petitions for an appropriate extension of time. The fee therefor, as well as any other fees which become due, may be charged to our deposit account No. 22-0256.

Respectfully submitted,
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